



Laura A. Donnelly
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003

In re Application of :
MASURE, Stefan Leo Jozef et al : DECISION ON
PCT Application No.: PCT/GB99/04311 :
Int. Filing Date: 17 December 1999 : PETITION UNDER
Priority Date: 22 December 1998 :
Attorney's File Reference: JAB-1458 : 37 CFR 1.137(b)
For: HUMAN AKT-3 :

This decision is in response to applicants' "REQUEST FOR RECONSIDERATION OF DECISION ON PETITION UNDER 37 CFR 1.137(b)", filed 30 June 2004. Applicants' petition to revive the above-identified application under 37 CFR 1.137(b) is **GRANTED**.

BACKGROUND

On 27 April 2004, this Office mailed a decision dismissing applicants' petition under 37 CFR 1.137(b). The decision stated that applicants' petition could not be granted because the applicants had not provided 1) "SEQ ID Nos." for the two sequences listed in lines 12-14 of page 25 of the specification and the sequence in line 36 of page 20 of the specification, and 2) a computer readable copy of the latest substitute sequence listing.

On 30 June 2004, applicants filed the present "Request for Reconsideration of Decision of Petition Under 37 CFR 1.138(b)" which is accompanied by an amendment to the specification as well as both a paper and computer readable copy of a corrected sequence listing.

DISCUSSION

Initially, it is noted that applicant's 03 October 2003 submission has now been matched with the file of the above-captioned application. A review of the application file reveals that the amendments to the specification and sequence listing filed 30 June 2004 appear to bring the application into compliance with 37 CFR 1.821-1.825. Accordingly, it is appropriate to grant applicants' petition to revive the above-identified application under 37 CFR 1.137(b). The granting of this petition does not foreclose the examiner from requiring correction of any error or inconsistency with the sequence rules detected during examination.

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.137(b) to revive the above-identified application abandoned under 37 CFR 1.821(g) is **GRANTED**.

This application is being forwarded to the United States Designated/Elected Office for further processing. The 35 USC 371(c)(1), (c)(2), and (c)(4) date is **20 June 2001**.

Diana Oleksa
Special Programs Examiner
PCT Special Programs Office
Telephone: 703-308-0890



Boris Milef
PCT Legal Examiner
PCT Legal Office